

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**FEBRUARY 13, 2006**

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

**(Continued from January 23, 2006)**

- 32-06            Leominster City Council; Richard M. Marchand, David E. Rowlands, John Dombrowski, Claire M. Freda, James Lanciani Jr., Wayne A. Nickel, Dennis A. Rosa, John A. Salvatelli, and Robert Salvatelli: Amend the City of Leominster Zoning Ordinances Article II, Sections 22-163, Generally Permitted Uses to include new Subsections 16.9, 16.9.1 and 16.9.2 which will allow for the use of one undeveloped lot in a zoning district in which a desired but non-permitted residential use is sought to obtain a Special Permit of the City Council and in the case of an undeveloped lot of 1.5 acres or less in existence prior to July 1, 2005 in the Industrial Zone, the Leominster City Council may, by Special Permit, allow a non-conforming business use if it is determined that there is no present, reasonable, industrial use for the lot, and the proposed use is not contrary to the general welfare, safety, health and morals of the city. The lot and the structures thereon must comply with all dimensional zoning requirements for the Business A District as set forth in Article III Dimensional Regulations. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.**

- 37-06            Hancock Associates, on behalf of Whitney Carriage Associates: Grant a Special Permit to remove and replace an existing retaining wall located at 122 Water Street, shown on Assessor's Map 22 as lot 1 and located within a floodplain. (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

## COMMUNICATIONS

- C-77      EMERGENCY PREAMBLE  
Relative to the appropriation of \$30,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-78      EMERGENCY PREAMBLE  
Relative to the appropriation of \$140,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-79      Relative to the appropriation of \$15,411.00 to the Assessors Salary and Wages Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-80      Relative to the appropriation of \$3,250.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Mausoleum Income Trust Fund Account. (Finance)
- C-81      Relative to the appropriation of \$9,000.00 to the City Comptroller's Salary & Wages Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-82      Relative to the appropriation of \$1,000.00 to the Building Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-83      Relative to the appropriation of \$6,000.00 to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-84      Mayor Dean J. Mazzarella: Accept for conservation purposes a deed from Day Street Realty Corporation for a thirteen acre parcel of land located off Day Street and shown on Assessors Map 575 as parcel 7. (Legal Affairs)

## PETITIONS

- 39-06      John J. Richard, Chairman, Leominster Contributory Retirement Board: Request that the City Council adopt Massachusetts General Law, Chapter 157 of the Acts of 2005 Sections One and Section Two, entitled "An Act Relative to Disability Retirement Benefits for Veterans." (Finance & Legal Affairs)

02/13/06

### **PETITIONS, continued**

- 40-06      Massachusetts Electric Company, d/b/a/ National Grid, and Verizon New England, Inc.: Main Street: Relocate three and remove two jointly owned poles on Main Street beginning at a point approximately 156 feet southwest of the centerline of the intersection of River Street and continuing approximately 434 feet in a southwesterly direction. (Public Service)
- 41-06      Peter A. CampoBasso, Esquire, on behalf of James S. Whitney, President and Treasurer, J. Whitney Development, Inc.: Allow a sewer connection for land in Sterling, owned by J. Whitney Development, Inc., for a residential subdivision for homeownership, condominiums and apartment buildings. (Public Service)
- 42-06      Maribel Fournier, Human Resources Director: Amend Chapter 16, Article II, Section 16-13 of the Revised Zoning Ordinances entitled "Vacation" which would allow employees to receive their vacation time by years of service on their anniversary start date; amendment retro-active to January 1, 2006. (Legal Affairs)
- 43-06      Greg Chapdelaine, Purchasing Agent: Request authorization to contract for Forestry Consulting Services for a period of six (6) years. (Legal Affairs)
- 44-06      Gregg P. Lisciotti, Lisciotti Development Corp.: Rezone two parcels of land located on Orchard Hill Park Drive from Industrial to Commercial. (Legal Affairs)

### **MATTERS BEFORE THE CITY COUNCIL**

#### **FINANCE**

- C-75      Relative to the appropriation of \$8,000.00 to the Other Finance Offices Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-76      Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account.

#### **LEGAL AFFAIRS & PUBLIC SERVICE**

- 38-06      Christopher Grunditz: Request that Cedar Road, a paper street, be discontinued. 02/13/06

**MATTERS BEFORE THE CITY COUNCIL, continued****LEGAL AFFAIRS**

- 32-06 Leominster City Council; Richard M. Marchand, David E. Rowlands, John Dombrowski, Claire M. Freda, James Lanciani Jr., Wayne A. Nickel, Dennis A. Rosa, John A. Salvatelli, and Robert Salvatelli: Amend the City of Leominster Zoning Ordinances Article II, Sections 22-163, Generally Permitted Uses to include new Subsections 16.9, 16.9.1 and 16.9.2 which will allow for the use of one undeveloped lot in a zoning district in which a desired but non-permitted residential use is sought to obtain a Special Permit of the City Council and in the case of an undeveloped lot of 1.5 acres or less in existence prior to July 1, 2005 in the Industrial Zone, the Leominster City Council may, by Special Permit, allow a non-conforming business use if it is determined that there is no present, reasonable, industrial use for the lot, and the proposed use is not contrary to the general welfare, safety, health and morals of the city. The lot and the structures thereon must comply with all dimensional zoning requirements for the Business A District as set forth in Article III Dimensional Regulations.
- 37-06 Hancock Associates, on behalf of Whitney Carriage Associates: Grant a Special Permit to remove and replace an existing retaining wall located at 122 Water Street, shown on Assessor's Map 22 as lot 1 and located within a floodplain.
- C-61 Dean J. Mazzearella, Mayor: Request that eight parcels located on Laurel Street, Spruce Street and Whitney Street shown on Assessor's Map 40 as lots, 1, 2, 3, 5, 6, 6a, 16 & 17 be rezoned from Industrial to Residence C.

**OLD BUSINESS****NEW BUSINESS**

Lynn A. Bouchard  
City Clerk  
February 9, 2006